

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 7/20/05 Signature: [Signature]  
(Ginty Blundell)

1645  
Box-802  
Hew

Docket No.: APBI-P06-036  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Berlin et al.

Application No.: 09/517491

Confirmation No.: 4943

Filed: March 2, 2000

Art Unit: 1645

For: IMMUNOSUPPRESSANT TARGET  
PROTEINS

Examiner: R. A. Zeman

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATION CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

MS Sequence  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed from the Patent Office on June 21, 2005, a copy of which is attached.

I hereby state that the content of the paper copy of the Sequence Listing (pages 1/24 through 24/24) as required by 37 CFR 1.821(c) and the computer readable form of the Sequence Listing as required by 37 CFR 1.821(e), are the same as required by 37 CFR 1.821(f). As required by 37 CFR 1.821(g), I state that the submission includes no new matter.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. APBI-P06-036 from which the undersigned is authorized to draw.

Dated: 7-18-05

Respectfully submitted,

By 

Melissa S. Rones, Ph.D.

Registration No.: 54,408

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110-2624

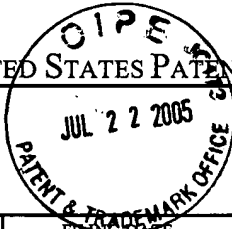
(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE



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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
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09/517,491

03/02/2000

Vivian Berlin

APBI-P06-036

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7590

06/21/2005

FISH & NEAVE IP GROUP  
ROPES & GRAY LLP  
ONE INTERNATIONAL PLACE  
BOSTON, MA 02110-2624

**Ropes & Gray**

JUN 23 2005

Intellectual Property Dept.

EXAMINER

ZEMAN, ROBERT A

ART UNIT

PAPER NUMBER

1645

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Ropes & Gray**

Symbol #: APBI-P06-036

Action Due: SEC LIST Due

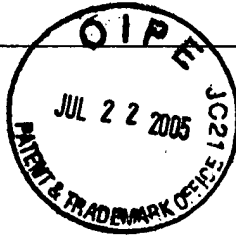
Deadline(s): 21 Jul 2005 / 21 Dec 2005



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|  |             |   |                     |
|--|-------------|---|---------------------|
| APPLICATION NO./CONTROL NO.<br><b>09/517,491</b> | FILING DATE | FIRST NAMED INVENTOR /PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|--|-------------|---|---------------------|



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| EXAMINER |
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**Robert A. Zeman**

|          |       |
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| ART UNIT | PAPER |
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**1645**

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents**

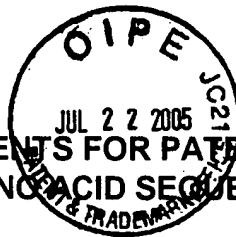
This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Robert A. Zeman** whose telephone number is (571) 272-0866.

*Robert Zeman*

5-00-01



Application No.: 09/517,491

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. . 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a ☐Sequence Listing☐ as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the ☐Sequence Listing☐ in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the ☐Sequence Listing☐ in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up ☐Raw Sequence Listing☐.
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the ☐Sequence Listing☐ is not the same as the computer readable form of the ☐Sequence Listing☐ as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: the specification contains sequences without the requisite sequence identifiers (see page 67 for example).

**Applicant Must Provide:**

- ☐ An initial or substitute computer readable form (CRF) copy of the ☐Sequence Listing☐.
- ☐ An initial or substitute paper copy of the ☐Sequence Listing☐, as well as an amendment directing its entry into the specification.
- ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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